

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: ALBRECHT, Gerhard, et al. Docket No.: MBZ-0465  
Serial No: New United States National Examiner: N/A  
Phase Application

International Application No. PCT/EP2002/010045 International Filing Date: 09 Sep 2002

For: Fluidising Composition

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Joan R. Barnes  
(type or print name of person signing paper)

Joan R. Barnes  
(signature of person mailing paper)

2-14-2005  
(date)

TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT  
WITHIN THREE MONTHS OF FILING DATE OF APPLICATION

(37 C.F.R. §1.97(b)(1))

Pursuant to 37 CFR §1.97 encouraging the filing of an Information Disclosure Statement, Applicants submit this paper in compliance with their duty of disclosure as set forth in 37 C.F.R. §1.56.

Applicants wish to introduce art having some relevance to the present application, which has been listed on attached Form PTO/SB/08A. This form includes four (4) foreign patent documents that were provided as a result of the PCT International Search Report dated March 28, 2003, attached herewith. No representation is made that a specific search has been made by Applicants, that the information is material to the claimed subject matter, or that the information represents the only or the best information.

Applicants do not admit that any of the information provided is necessarily prior to their invention, but rather it is information of which Applicants are aware and believe should be provided to the Office in fulfillment of the duty of disclosure. Any question that may arise regarding the priority of a specific document shall be resolved during prosecution.

The information provided is in the English language, except for EP 0 508 158 A2 for which English-language claims are enclosed in EP 0 508 158 B1; and CH 678 526A for which an English-language equivalent is enclosed in US 5,413,819. The referenced art is being cited for the express purpose of providing the Patent and Trademark Office with the opportunity to make an evaluation and to arrive at an independent assessment of materiality of each document, if any, to the examination of this application.

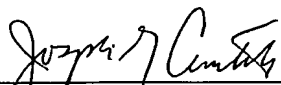
It is noted that the Office has waived the requirement under 37 CFR 1.98 (a)(2)(i) for submitting a copy of each cited U.S. patent and each U.S. patent application publication for all U.S. national patent applications filed after June 30, 2003 and for all international applications that have entered the national stage under 35 USC § 371 after June 30, 2003.

Applicants respectfully request that the information cited be made of record in the subject case.

# **IDENTIFICATION OF TIME OF FILING THE INFORMATION DISCLOSURE STATEMENT**

The Information Disclosure Statement submitted herewith is being filed contemporaneously with the filing of the present application. No certification or fee is due with this filing of the Information Disclosure Statement. 37 C.F.R. §1.97(b)(1).

Respectfully submitted,

  
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 Attorney for Applicants

14 February 2005  
 Date

Substitute for form 1449A/PTO  <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  (Use as many sheets as necessary)				<b>Complete if Known</b>			
				Application Number		New U.S. National Phase Application	
				Filing Date		February 14, 2005	
				First Named Inventor		Gerhard Albrecht	
				Art Unit		N/A	
				Examiner Name		N/A	
Sheet	1	of	1	Attorney Docket Number		MBZ-0465	

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. <sup>1</sup>	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number - Kind Code <sup>2</sup> (if known)			
		US-5,413,819	05-09-1995	Drs	
		US-			
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FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
		Country Code <sup>3</sup> - Number <sup>4</sup> - Kind Code <sup>5</sup> (if known)				
		EP 0 508 158 A	10-14-1992	Sika AG		T
		EP 0 508 158 B1	10-04-1996	Sika AG		
		GB 2 347 415 A	09-06-2000	MBT Holding AG		
		WO 00 77058 A	12-21-2000	Albrecht, Gerhard		
		CH 678 526 A	09-30-1991	Sandoz AG		T

Examiner Signature	Date Considered
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup>Applicant's unique citation designation number (optional). <sup>2</sup>See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup>Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup>For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup>Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup>Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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